

23 April 1968

MEMORANDUM FOR THE RECORD

SUBJECT: Outline for Legal Counsel Effort, April-July 1968

REFERENCES:

- A. Memorandum for the Record, 19 April 1968, "New Military Field Courts"
- B. Memorandum, 13 April 1968, ACoFS, CORDS to D/PHOENIX, re Magistrate Review
- C. Memorandum for the Record, 23 April 1968, "Civilian Security Suspects, Legal Review of Cases"
- D. Memorandum for the Record, 22 April 1968, "Legal Processing of Civilian Security Suspects"
- E. Memorandum for the Record, 22 April 1968, "Investigation in II Corps"
- F. Memorandum for the Record, 19 April 1968, "Meeting With Minister of Justice".

1. First work priority, orally assigned by Ambassador Komer, is to get decisions and action on the matter of the additional Military Field Courts which were authorized by Decree-Law No. 49/67 of 30 October 1967. Efforts have begun in this regard, as reported in Reference A.

2. Mr. Colby requested in Reference B investigation of the feasibility of magistrate level review of the cases of Civilian Security Suspects (CSS's) to determine if sufficient evidence exists to justify further detention and proceedings. Study is being made on this subject, as reported in Reference C.

3. The legal processing of CSS's by GVN authorities is an area of great importance, obscurity, difficulty and dissatisfaction. From a legal standpoint, the focus here is on the improper release and (the other side of the coin) the improper retention of detainees. Some of the greatest inadequacies exist at the District level. It is there also that our understanding of the legal processes is most inadequate. Consequently, an investigative effort is being attempted at that level. (Reference D). Mr. Robert F. Gould, a

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